

SUPPORTING STATEMENT

Immigrant Petition for Alien Workers

Form I-140

OMB No. 1615-0015

A. Justification.

1. This form is used to petition to classify an alien under section 203(b)(1), 203(b)(2) or 203(b)(3) of the Immigration and Nationality Act (Act). Any person may file this petition in behalf of an alien who has extraordinary ability in the sciences, arts, education, business, or athletics, demonstrated by sustained national or international acclaim, whose achievements have been recognized in the field. A United States employer may file this petition to employ an outstanding professor or researcher who is recognized internationally as outstanding, or an alien who seeks to enter the United States to continue to render services to the same employer or to a subsidiary or affiliate in a managerial or executive capacity; or a member of the professions holding an advanced degree or an alien with exceptional ability in the sciences, arts, or business who will substantially benefit the national economy, cultural or educational interests, or welfare of the United States; or a member of the professions with a baccalaureate degree; or an unskilled worker to perform labor for which qualified United States workers are not available.
2. The data on this form is used by U.S. Citizenship and Immigration Services (USCIS) to determine eligibility for the requested immigration benefit. The form serves the purpose

of standardizing requests for the benefit, and ensuring that basic information required to determine eligibility is provided by petitioners.

3. The use of this form provides the most efficient means for collecting and processing the required data. In this case USCIS does not employ the use of information technology in collecting and processing information. This form is scheduled for e-filing during calendar year 2006.
4. A review of USCIS Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available nor accessible from other data bases which can be used for this purpose.
5. This collection of information does not have an impact on small business or other small entities.
6. In order for a person to enter the United States under section 203(b)(1), 203(b)(2), or 203(b)(3) of the Act, he or she must apply using this information collection. This form asks questions necessary to the process of determining eligibility. Without the use of this collection, a person has no way to prove that certain eligibility requirements have been met.
7. The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. Public comments obviously cannot be addressed in the initial submission. Any public comments will be reconciled and addressed in the justification package with the USCIS' second submission.
9. USCIS does not provide payment or gifts to respondents in exchange for a benefit

sought.

- 10. There is no assurance of confidentiality.
- 11. There are no questions of a sensitive nature.

12. Annual Reporting Burden:

a. Number of Respondents	96,000
b. Number of responses per each Respondent	1
c. Total Annual Responses	96,000
d. Hours per Response	1
e. Total Annual Reporting Burden	96,000

Annual Reporting Burden

The total annual reporting burden hours are 96,000. This figure was derived by multiplying the number of respondents (96,000) x frequency of response (1) x 60 minutes (one hour) per response. The projected hours per response for this collection of information were based on previous USCIS experience with this form.

- 13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this collection are identified in item 14. Additionally, there is a \$195 fee charge for this information collection.

14. Annualized Cost Analysis:

a. Printing Cost	\$ 60,480
b. Collection and Processing Cost	\$ 18,659,520
c. Total Cost to Program	\$ 18,720,000

d.	Fee Charge	\$ 18,720,000
e.	Total Cost to Government	\$ 0

Government Cost

The estimated cost of the program to the Government is calculated by using the estimated number of respondents (96,000) x \$195 fee charge, (which includes the suggested average hourly rate for clerical, officer and supervisory time with benefits, plus a percent for the estimated overhead cost for printing, stocking, and distributing and processing of this form).

Public Cost

The estimated annual public cost is \$ 19,680,000. This estimate is based on the number of respondents (96,000) x one (1) hour per response x \$10 (Average hourly rate), plus the number of respondents (96,000) x (\$195) fee charge.

15. There has been no increase or decrease in the estimated burden hours previously reported for this collection of information.
16. USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.
17. USCIS will display the expiration date for this information collection.
18. USCIS does not request an exception to the certification of this information collection.
See attached Item 19 of Form OMB 83-I.

B. Collection of Information Employing Statistical Methods.

Not Applicable.

C. Certification and Signature.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Richard A. Sloan

Date

Director,

Regulatory Management Division,

U.S. Citizenship and Immigration Services.